

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

David Thill and Debra Thill,

Plaintiffs,

Civ. No. 08-5404 (RHK/AJB)
ORDER

v.

Olmsted County Housing and
Redevelopment Authority, *et al.*,

Defendants.

In this action, Plaintiffs David and Debra Thill assert that Defendant Olmsted County Housing & Redevelopment Authority denied them reasonable accommodations in violation of the Americans with Disabilities Act. On November 25, 2009, Defendant moved for summary judgment, and its Motion was scheduled to be heard on February 11, 2010. Accordingly, Plaintiffs' opposition brief was due on or before January 21, 2010. D. Minn. LR 7.1(b)(2). No opposition was filed as of that date.

In September 2009, Plaintiffs requested a 90-day extension on all deadlines relating to this action. (Doc. No. 32.) This request was denied by Magistrate Judge Arthur J. Boylan. (Doc. No. 33.) Plaintiffs then filed an objection to Judge Boylan's Order. (Doc. No. 34.) In January 2010, this Court overruled the objection, but allowed Plaintiffs until February 5, 2010, to file an opposition to Defendant's Motion for Summary Judgment. (Doc. No. 47.)

On February 3, 2010, the Court received a letter (Doc. No. 48) from Plaintiffs requesting a 180-day extension "on all dates" pertaining to this matter. Attached to the

letter are several documents describing Plaintiffs' many medical afflictions. Presumably, Plaintiffs believe that such medical issues prevent their meaningful participation in the present action.

While the Court is not unsympathetic to Plaintiffs' medical issues, it finds that a 180-day extension is unwarranted. In fact, by submitting a four-page letter and supporting documentation to the Court, Plaintiffs have demonstrated their capacity to respond to the pending Motion for Summary Judgment. However, out of an abundance of caution, the Court will grant Plaintiffs additional time to file an opposing memorandum.

Based on the foregoing, and all the files, records, and proceedings herein, it is **ORDERED** that Plaintiffs' letter request for a 180-day extension (Doc. No. 48) is **DENIED**. Plaintiffs may submit a memorandum in opposition to the pending Motion for Summary Judgment on or before March 5, 2010; Defendant may respond thereto on or before March 12, 2010. The hearing on Defendant's Motion currently set for February 11, 2010 is **CANCELED**. If, after reviewing the parties' written submissions, the Court desires a hearing on the Motion, the parties will be so notified.

NO FURTHER EXTENSIONS OF THE BRIEFING SCHEDULE WILL BE GRANTED ABSENT EXTRAORDINARY CIRCUMSTANCES.

Dated: February 4, 2010

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge